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AUG 10 1999

Mr. Robert L. Carl, Jr., PhD, Chairman
Rhode Island State Planning Council
One Capitol Hill
Providence, Rhode Island 02903

Dear Mr. Carl:

Subject: **Certification of the Rhode Island State Planning Council**

The Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) are pleased to submit for your information and use our final certification review report on the transportation planning process in the Providence-Pawtucket metropolitan area and the State of Rhode Island. As you are aware, FHWA and FTA, in cooperation with the Environmental Protection Agency (EPA), conducted a joint certification of the State Planning Council's transportation planning process on April 29th and 30th, 1999. A draft report describing the findings of the Federal review was provided to the agencies involved for comment.

The final report finds that Rhode Island's transportation planning process meets the requirements of 23 CFR 450 and 49 CFR 613. Therefore, the transportation planning process in Rhode Island is certified subject to one corrective action, the representation of the City of Providence on the MPO policy board, the State Planning Council. This correction should be accomplished by the time of the MPO's next annual self-certification which will coincide with the adoption of the next Transportation Improvement Program (TIP). The report describes our observations and findings, and includes specific recommendations for improvements.

We would like to thank all the participants in the certification review and particularly your staff in the Statewide Planning Program for their assistance in arranging the review. Our discussions were candid and helpful. Should you have any questions or need additional copies of the report, please contact us.

Sincerely yours,

Melisa L. Ridenour
Division Administrator
Federal Highway Administration

Richard H. Doyle
Regional Administrator
Federal Transit Administration

Enclosure

cc: Mr. John O'Brien, Chief, Statewide Planning Program- RIDOA
Mr. William Ankner, Director - RIDOT
Ms. Beverly Scott, General Manager - RIPTA
Mr. Jan Reitsman, Director - RIDEM
Mr. John DeVillars, Administrator - EPA Region 1
Ms. Cynthia Burbank, FHWA - HEP
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U.S. Department
of Transportation

**Federal Highway
Administration**

**Federal Transit
Administration**

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Rhode Isl and

April 29th and 30th 1999

Metropolitan Planning Certification Review Report - Rhode Island

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Summary of Findings and Recommendations

The overall finding of this joint Federal Highway Administration/ Federal Transit Administration planning certification review is that the transportation planning process for the State of Rhode Island (including the Rhode Island portion of the Providence-Pawtucket TMA) meets the requirements of 23 CFR 450 and 49 CFR 613. The process is, therefore, being jointly certified. This certification is subject to one corrective action, representation of the central city (Providence) on the MPO executive board.

Finding and Corrective Action: *Though the Rhode Island State Planning Council meets the requirements of 23 CFR 450 because it was designated prior to December 18, 1991, the lack of representation of the City of Providence is a serious structural flaw. Therefore, representation of the City as a voting member of the MPO policy board, the State Planning Council, must be accomplished in order for the Council to retain its Federal certification. FHWA and FTA expect this corrective action to be complete at the time of the MPO's next annual self-certification which coincides with adoption of the next Transportation Improvement Program (TIP).*

Recommendation: *The State should add the Rhode Island Public Transit Authority as a voting member to the State Planning Council.*

Recommendation: *The State should consider adding an environmental representative to the State Planning Council, perhaps as one of the discretionary appointments.*

Recommendation: *The reorganizations and new personnel involved in planning at both the Statewide Planning Program and RIDOT presents a unique opportunity for both agencies to review, discuss, and streamline the transportation planning process and to clarify their respective roles in the process. Any resulting understandings or procedures should be put in writing.*

Recommendation: *Statewide Planning, in cooperation with RIDOT, should present the results of the various management systems to municipalities when conducting local workshops so that cities and towns may consider those results when proposing projects for the Transportation Improvement Program (TIP).*

Recommendation: *The review team recognizes the effort of the MPO since the last review in placing a high priority on public participation and providing an open and participatory process. This should remain a high priority and constant vigilance and sensitivity to the needs of individuals and interest groups should be maintained in assuring that diverse opinions can be expressed.*

Recommendation: *Rhode Island is encouraged to continue the development of a regional/statewide architecture for ITS. This is a particularly important initiative in light of the requirements in TEA-21 for all ITS projects funded from the Highway Trust Fund, which includes transit projects, to be consistent with the National Architecture, and the requirement that ITS strategies be addressed in MPO Transportation Plans and TIPs.*

Recommendation: *As the State updates the land use element of the State Guide Plan, the TAC should be kept informed of and involved in the process. Special attention should be paid to opportunities for preserving the function of existing transportation facilities in fast growing areas of the State through land use controls or other methods such as access management.*

Recommendation: *Statewide Planning should continue to support the data needs of the Access to Jobs activities, continue analysis of the data to help identify gaps that could be closed and help identify alternative strategies to meet the needs of the welfare recipients that will be needing transportation.*

Finding and Recommendation: *The Federal team applauds the efforts of RIDOA, RIDEM, RIDOT, and RIPTA in making the transportation and air quality conformity consultation process operate as envisioned by Federal regulation and guidance. The Federal team recommends that the agencies continue to work closely together in monitoring developments in the transportation/air quality conformity area and in developing the State's approach to compliance with the new NAAQS.*

I. INTRODUCTION

On April 29th and 30th, 1999 a team of Federal representatives identified in Appendix 1 conducted a Transportation Planning Certification Review of the metropolitan transportation planning process for the Rhode Island portion of the Providence-Pawtucket Transportation Management Area (TMA). The review was performed at the offices of the Statewide Planning Program, Rhode Island Department of Administration (RIDOA) in Providence, RI. The Statewide Planning Program is staff to the State Planning Council (SPC), the MPO for the Providence metropolitan area. It should be noted that since the SPC is responsible for transportation planning for the entire State and produces a single statewide transportation improvement program (TIP) this certification review covers the transportation planning process for the entire State of Rhode Island.

Appendix 2 is a list of all of the participants of the review. Representatives from RIDOA, the Rhode Island Department of Transportation (RIDOT) and the Rhode Island Public Transit Authority (RIPTA) were present throughout the review. The Chairperson of the SPC, the Chairperson of the SPC's Transportation Advisory Committee (TAC), as well as six Council members or designees participated in the opening session of the review. Representatives from the Rhode Island Department of Environmental Management (RIDEM) participated in the air quality planning/conformity portion of the certification review. The Federal team also sought the input of the TAC's members and the public during the regularly scheduled TAC meeting on April 29th, 1999.

The agenda for this review can be found in Appendix 3.

The overall finding of this joint Federal Highway Administration/ Federal Transit Administration planning certification review is that the transportation planning process for the State of Rhode Island (including the Rhode Island portion of the Providence-Pawtucket TMA) meets the requirements of 23 CFR 450 and 49 CFR 613. The process is, therefore, being jointly certified. This certification is subject to one corrective action, representation of the central city (Providence) on the MPO executive board.

The Federal team also has several recommendations for process improvements as indicated in Section II of this report.

The certification review covered the MPO's progress in implementing process improvements recommended in the last triennial review in 1996, discussion of the overall transportation planning process (including technical analyses, interagency coordination, public participation, Intelligent Transportation Systems, and the linkage of land use and transportation planning), access to jobs programs, and air quality conformity.

In addition to these areas, the field staff of FHWA and FTA conducted a desk review encompassing all aspects of the metropolitan planning regulations. This desk review was conducted prior to the on-site review and served to identify other important issues which were addressed with the MPO during this certification review. The various documents examined during the desk review, as well as a summary of the review are included in Appendix 4.

In conducting this planning review, the objectives of FHWA and FTA were to determine the extent to which this planning process had followed the requirements of the final Metropolitan Planning Regulations issued on October 28, 1993, as well as the MPO's plans to implement the changes resulting from the Transportation Equity Act of the 21st Century (TEA-21). An underlying objective of this planning review was to strengthen this planning process. Ultimately, however, this review served as the basis for FHWA and the FTA to determine the appropriate action to take with regard to certification of this planning process.

II. FINDINGS AND RECOMMENDATIONS FOR STRENGTHENING THE PLANNING PROCESS

The Federal Review Team's findings and recommendations relative to the Rhode Island State Planning Council's planning process are discussed below. These findings include one corrective action which must be implemented in order for the MPO to maintain this certification. This section is structured to address each of the major items and focal points as outlined in the previously referenced agenda.

PROGRESS SINCE THE 1996 CERTIFICATION REVIEW

A summary of all the recommendations from the 1996 review is attached as Appendix 5. In general, the Federal team was pleased with the progress made in improving the transportation planning process in Rhode Island in the past three years. Especially noteworthy are some of the innovations in public participation initiated by the Statewide Planning Program. Examples include the use of stakeholder focus groups and a televised "town meeting" in preparation for the revision of the long range plan. Statewide Planning's very thorough Internet world wide web site has greatly improved the availability of planning information to the public. Two issues raised during the 1996 review have seen less satisfactory progress.

MPO Structure

One of the recommendations of the 1996 review was to provide the City of Providence a seat on the MPO executive board, the State Planning Council. The Rhode Island State Planning Council meets the requirements of 23 CFR 450 because it was designated prior to December 18, 1991. Federal regulations encourage MPOs to add the operators of major modes of transportation to the MPO policy board, and to increase the representation of local elected officials. Such additions may be made without a formal redesignation action.

The State Planning Council's composition is mandated by State law and consists of officials from six state executive agencies (the Governor or designee, two from the Department of Administration, State Budget Officer, Governor's Policy Office, Governor's Office of Intergovernmental Relations), two state legislators, the Executive Director of the Rhode Island League of Cities and Towns, two local government representatives (one the president of the League of Cities and Towns, the other appointed by the governor from a list submitted by the League), four members of the public (three appointed by the Governor and one by the Speaker of the House), and one non-voting Federal advisory member (FHWA). The Director of the Rhode Island Department of Transportation (RIDOT) was added since the 1996 review as the Governor's designee.

In written comments to the team in both 1996 and 1999, the City of Providence did indicate that

the “State Planning Council should have representation from the largest city in Rhode Island.” This comment was echoed at the meeting with the Transportation Advisory Committee. The reason that Providence is not directly represented on the SPC has to do with the way that the Council’s legislation is written. Of the three “local” seats on the SPC, one is reserved for the president of the Rhode Island League of Cities and Towns (always a mayor or manager), the executive director of the League, and the third is appointed by the Governor from a list submitted by the League. The City of Providence is not a member of the Rhode Island League of Cities and Towns.

Providence does currently have a seat on the SPC’s Technical Committee which consists of staff level representatives from state agencies, the legislature, local governments, public members, and FHWA (again, non-voting). All draft plans and programs on the SPC’s agenda come before the Technical Committee for detailed review and recommendation. The City has also had representatives on the Transportation Advisory Committee (TAC) which is charged with initial development of the long range Transportation Plan (TP) and Transportation Improvement Program (TIP) and initial review of all transportation related items that come before the SPC. The TAC is a broadly representative body with four state officials, four local officials, five citizens, and 11 public members (generally representing specific interest groups).

During discussions with the Federal team, Statewide Planning Program staff did demonstrate that when the transportation planning process is looked at as a whole, local representation is fairly broad. They also noted that in particular the participation of the City of Providence on the TAC has been sporadic at best. It was also noted that the City was not lacking in having its desired projects programmed in the TP and TIP. This view was confirmed in discussions with representatives of the City.

While the Federal team is willing to concede these points, we continue to believe that Federal regulations, as well as good planning practice, dictate that the central city in a metropolitan area should have a *vote* on the Metropolitan Planning Organization’s policy board. The Federal team is cognizant of the fact that such a change *may* require a revision of State legislation. We also recognize, however, that both the Governor and the Legislature control a total of four discretionary appointments to the Council limited to three year terms. A permanent seat for the City would be the preferable of the two options.

Finding and Corrective Action: *Though the Rhode Island State Planning Council meets the requirements of 23 CFR 450 because it was designated prior to December 18, 1991, the lack of representation of the City of Providence is a serious structural flaw. Therefore, representation of the City as a voting member of the MPO policy board, the State Planning Council, must be accomplished in order for the Council to retain its Federal certification. FHWA and FTA expect this corrective action to be complete at the time of the MPO’s next annual self-certification which coincides with adoption of the next Transportation Improvement Program (TIP).*

Federal regulations also envision that the operators of major modes of transportation are represented on the MPO policy board, and the Federal team in 1996 recommended that methods of accomplishing this be explored. The State took a major step in this direction when the Governor used one of his discretionary appointments to place the Director of RIDOT on the State Planning Council. During the current review, representation of the Rhode Island Public Transit Authority (RIPTA) was discussed. RIPTA did express their desire to be a voting member of the Council. This position was also strongly supported by the Director of RIDOT in subsequent discussions.

Recommendation: *The State should add the Rhode Island Public Transit Authority as a voting member to the State Planning Council.*

It was also noted in comments from the public and the TAC that the State Planning Council has lost representation from the environmental community. Previously, one of the public members appointed by the Governor represented one of the state's environmental groups. This member was replaced when the Governor appointed the City of Warwick's Planning Director to the Council. While the Federal team applauds the increase in local government representation, we concur that since a great deal of the Council's agenda is related to the environment (perhaps more so than transportation), it would be good practice to have an environmental representative on the Council *as well*. Since Federal transportation planning regulations are silent on this issue, neither FHWA nor FTA could require such an addition.

Recommendation: *The State should consider adding an environmental representative to the State Planning Council, perhaps as one of the discretionary appointments.*

Interagency Cooperation

Another issue that was discussed relative to progress since the 1996 review was cooperation between the MPO staff (Statewide Planning Program), RIDOT, and the Rhode Island Public Transit Authority (RIPTA). The specific recommendation from 1996 was that the agencies adopt written procedures for TIP amendments. Though this has not occurred, the agencies indicated that TIP amendments had not been a particularly troublesome issue over the past three years. However, the Federal team did express some concerns over the recent general state of interagency cooperation in the transportation planning process.

Because of an unusual set of circumstances, Rhode Island found itself in the position of having both a new TIP and an updated long range plan due by October 1, 1998. Such a situation would have been a challenge even for a fully staffed MPO. Unfortunately, the Statewide Planning Program had lost two very experienced staff members out of the five permanently assigned to transportation, and those positions remained unfilled. In addition, the Federal-aid highway legislation reauthorization process that resulted in TEA-21 was ongoing at approximately the same time and injected many uncertainties into the process. Dynamic new leaders at both RIDOT

and RIPTA showed a higher degree of commitment to and involvement in the planning process than had their predecessors.

The result of this combination of circumstances was that Rhode Island did not have a long range transportation plan that met Federal requirements by October 1. The State Planning Council had to adopt the plan using emergency procedures which waived the required public hearing on the plan. FHWA and FTA provided a temporary, conditional acceptance for the long range plan in order to allow the program to continue while the temporary plan was put through the public process. The plan finally received full Federal acceptance in December of 1998. The agencies expressed their concern about the MPO's staffing situation during this time.

Since December 1998, the State overall has shown a renewed commitment to the transportation planning process. The Statewide Planning Program has undertaken a thorough reorganization that will strengthen the linkage between land use and transportation planning. Authorization to fill the vacant positions on the transportation staff has been received and a new supervisor for the transportation section has been selected. Statewide Planning will also be strengthening their technical capabilities in filling one of the approved positions. RIDOT has reorganized and strengthened their planning section as well.

Recommendation: *The reorganizations and new personnel involved in planning at both the Statewide Planning Program and RIDOT presents a unique opportunity for both agencies to review, discuss, and streamline the transportation planning process and to clarify their respective roles in the process. Any resulting understandings or procedures should be put in writing.*

FHWA and FTA will continue to monitor both the staffing situation at Statewide Planning and the degree of interagency cooperation between not only Statewide Planning and RIDOT, but with RIPTA as well.

THE PLANNING PROCESS

Most of the technical session on April 29th consisted of a wide-ranging discussion between the Federal team and State staff on the planning process from data collection, to public involvement, to the integration of transportation and land use planning. The following is a summary of that discussion along with some specific recommendations.

Travel Demand Model

The Federal team and State staff discussed various technical aspects of the planning process including data collection, travel demand modeling, and use of the management systems. The MPO uses a statewide travel demand model that was developed as a joint effort between Statewide Planning and RIDOT. It is based on TransCAD software and was developed in the

early 1990s. Most of the inputs are from the 1990 Census with updated projections as necessary. Currently, maintenance of the model is the responsibility of RIDOT.

Staff indicated that the model performed satisfactorily for development of the current Plan and TIP. For development of the next TIP, however, a considerably higher level of effort is expected because of the need to update inputs and to reflect changes in the network. Statewide Planning staff is currently participating in the effort to update the Traffic Analysis Zones (TAZ) for the upcoming 2000 Census being co-sponsored by the Bureau of the Census and FHWA.

One area of concern with regard to the model is the loss of staff at both Statewide Planning and RIDOT who are intimately familiar with the model. While consultant assistance is a likelihood, it is important that State staff have sufficient knowledge of the model and modeling so that it does not become a "black box." Statewide Planning intends to use one of the two staff vacancies to hire personnel with demand modeling expertise.

Freight Planning

The integration of freight movement/issues into the metropolitan planning process is a desirable activity which has been re-emphasized with the TEA-21 legislation. The participation of the Rhode Island Trucking Association on the TAC is commendable and efforts to stimulate interaction by this group in the planning process are encouraged.

It may be advisable to re-evaluate freight planning work activities in light of the upcoming Plan update. The adequacy of freight data in terms of the statewide travel model and an assessment of current freight needs and concerns could be worthwhile work program activities. With future intermodal projects, such as the Quonset Point Davisville Port and Commerce Park, and related freight traffic implications as impetus, a thoughtful freight planning component will be necessary.

As the FHWA's Eastern Resource Center becomes fully staffed later this year, planning specialists may be of assistance in developing strategies and work program activities to achieve this objective.

Management Systems

Rhode Island opted to continue development of the management systems after they were made voluntary for the States by the National Highway Designation Act of 1995. The pavement, bridge, and public transit management systems have been developed and have contributed to the development of projects that were programmed in the TIP. The safety management system continues development, depending largely upon the progress of the improved Accident Location Reporting System under development by RIDOT.

The congestion management system (CMS) has been operational since 1997. To some extent,

data has been incorporated into the current long-range plan and linkages made to ITS-related initiatives and projects in the state. The CMS and its resulting strategies and recommendations need to be a continuing and integral component of the metropolitan planning process. In this sense, the CMS exhibits a dynamic nature which is most effective as a tool for transportation decision-making.

The Plan update cycle which will soon begin is an excellent opportunity for CMS re-assessment in terms of its integration into the planning process. Corridors or “hotspots” which were identified by the CMS should be the subject of further analysis. The FHWA will also be increasingly interested in congestion monitoring efforts as traffic operating systems enter that particular phase of development.

Recommendation: *Statewide Planning, in cooperation with RIDOT, should present the results of the various management systems to municipalities when conducting local workshops so that cities and towns may consider those results when proposing projects for the Transportation Improvement Program (TIP).*

Public Involvement

At the last Certification Review, the review team recommended that the MPO be more proactive regarding public participation in terms of pursuing alternative means of providing information and notification to the public, broadening representation on the TAC and providing better access to the planning process.

The review team found that the MPO has an adequate adopted public participation process. The TAC is the primary body through which public participation into the transportation planning process is received. The Statewide Planning Program has gone beyond the requirements of the Federal and State regulations to meet the spirit of those regulations by doing outreach through focus groups regarding various areas of the planning program. This proved to be a very effective tool for getting public input and shaping the planning program. In addition, the World Wide Web site that has been established to provide transportation planning information to the public has been well received. The Quarterly Report newsletter has been continued and a televised “Town Meeting” has also been used to get information and programs before the public.

Public Meeting Comments

A public meeting was held on the evening of April 29th in conjunction with the regular TAC meeting. Several comments were received regarding the accessibility to the planning process for the public, the confusion that was thrown into the TIP process by the delay in announcement of actual funding levels through the passage of TEA 21, representation of transit users on the TAC and the conduct of information meetings and hearings in the evening or during the day.

The MPO tries to be sensitive to the needs of the various interest groups relative to different types of projects in the scheduling and location of meetings. TAC meetings are always held in the evening and in varying parts of the State and public comment is taken. There are other committees, such as the Transportation Enhancements Advisory Committee and the Air Quality Subcommittee, that have input into the TIP and do meet exclusively during the workday (though usually open to the public). But the recommendations of those committees is always funneled through and discussed by the TAC before they are incorporated into the draft TIP.

While it is true that only a single formal public hearing is held on the draft TIP, public hearings are not necessarily the most effective mechanisms for public input into planning. In fact, by the time a draft TIP is available, extensive public input through municipal workshops and TAC meetings has already been incorporated. The MPO approach of bringing issues through the TAC as well as the State Planning Council and, in many cases, other public meetings provide a variety of forums for the public to comment and participate.

The uncertainty that was associated with the reauthorization of Federal transportation legislation during development of the last TIP did make it difficult for the TAC to program the TIP. The approach taken was to program to a certain level and then forward recommendations to the State Planning Council as to how additional funds could be used should the State's apportionment turn out to be larger than expected. Those recommendations were discussed and debated by the TAC in their usual public forum and the recommendations duly voted upon.

Representation of transit users on the TAC, whether they are disabled, minority, lower income, or single parent has always been problematic for Statewide Planning. The MPO has made good faith efforts to get such representation on the TAC, but has not been fully successful for a variety of reasons.

One member of the public that was present for the 1996 certification review public meeting asked the Federal team what had become of public comments made in 1996 and the resolution of Federal recommendations from 1996. Wishing to be responsive to the public and the TAC, the Federal team forwarded a letter (Appendix 5) to the TAC to respond to that question as soon as possible.

The Federal team was impressed by the degree of public interest and participation in the planning process in general, and in the certification review in particular. Statewide Planning and the other agencies are to be commended on the cultivation of an informed and involved public.

Recommendation: *The review team recognizes the effort of the MPO since the last review in placing a high priority on public participation and providing an open and participatory process. This should remain a high priority and constant vigilance and sensitivity to the needs of individuals and interest groups should be maintained in assuring that diverse opinions can be expressed.*

Intelligent Transportation Systems

ISTEA advanced the concept of coordinated regional planning for deployment of Intelligent Transportation Systems (ITS) through funding “Early Deployment Studies.” TEA-21 has incorporated the Early Deployment Concept, a pilot under ISTEA, into the mainstream of MPO planning. Final planning guidelines and ITS implementation guidelines are being prepared but have not yet been issued by the time of this review. TEA-21, however, states that no projects funded from the Highway Trust Fund (this includes transit projects) may be approved unless they are demonstrated to be consistent with the National Architecture. In addition, MPOs are directed to include ITS in their Long Range Plan and TIP development process. Interim guidance indicates that the requirement will be for Regional ITS Strategies.

Rhode Island has recognized the importance of ITS for some time as evidenced by the completion of an Early Deployment Plan in 1997. Since that time, a Traffic Operations Center (TOC) has been opened, cameras deployed on I-95, and ITS has been tied to Congestion Management strategies. RIPTA has begun developing ideas on how ITS can be incorporated into their operation, and the State Police have deployed a statewide radio system that has potential for use by other statewide service providers such as RIPTA. A very significant development is the formation of a Statewide ITS Architecture Committee with a focus on integration of existing and planned ITS components.

Recommendation: *Rhode Island is encouraged to continue the development of a regional/statewide architecture for ITS. This is a particularly important initiative in light of the requirements in TEA-21 for all ITS projects funded from the Highway Trust Fund, which includes transit projects, to be consistent with the National Architecture, and the requirement that ITS strategies be addressed in MPO Transportation Plans and TIPs.*

Land Use and Transportation

The interaction of land use and transportation is a complex issue which many metropolitan areas are studying in the context of improved planning and development. The State appears to be undertaking efforts in this area as part of a continuing and comprehensive planning process. The fact that Rhode Island is a small state and that the MPO covers the entire geographical area creates an opportunity for innovative examination of land use/transportation planning initiatives and growth scenarios.

Rhode Island’s comprehensive planning legislation is considered a national model with its requirement that municipalities develop comprehensive plans that are consistent with State Guide Plan elements, including the ground transportation plan. The review and feedback on local comprehensive plans are activities which lay a good foundation for coordinated State guidance and direction on land use issues.

Statewide Planning, in cooperation with the University of Rhode Island and other State agencies, has developed a very thorough and comprehensive geographic information system (GIS) known as RIGIS. RIGIS has already proved itself an indispensable tool in analyzing land use changes and will be valuable in examining various growth scenarios. Statewide Planning has developed a CD-ROM containing all the RIGIS coverages for distribution to municipalities and the public. Through the Rhode Island Technology Transfer Center, the State's Local Technical Assistance Program (LTAP), half-day training sessions will be offered to local planners, public works employees, and other municipal officials on how to use the information contained in RIGIS.

Statewide Planning will be leading the effort over the next 18 months to update the land use element of the State Guide Plan. Intense interest in contributing to the update has been shown from many quarters. The involvement of the Grow Smart Rhode Island and the Rhode Island Economic Policy Council in the process is to be commended. The private sector flavor of these groups will create interesting opportunities for creative input into the update process, with resulting private/public partnerships as a natural outgrowth. The TAC also expressed their interest in the land use planning efforts. The FHWA will be very interested in keeping tabs on the interaction of this initiative in the context of statewide planning over the next two years.

Recommendation: *As the State updates the land use element of the State Guide Plan, the TAC should be kept informed of and involved in the process. Special attention should be paid to opportunities for preserving the function of existing transportation facilities in fast growing areas of the State through land use controls or other methods such as access management.*

ACCESS TO JOBS

The passage of the Welfare Reform Act (Personal Responsibility and Work Opportunity Reconciliation Act of 1996) has changed the role of federal, state and local Welfare agencies by emphasizing the transition from Welfare to work. Transportation was identified early on in this process as a needed service to assist people in making this transition. The US DOT has made help to provide this transportation a high priority and is encouraging MPOs and Transit Operators to play a lead role in supporting local "Welfare to Work" initiatives by helping solve the transportation part of this problem. This type of specialized program is consistent with the 16 elements of the planning process contained in Section 540.316 of the October 28, 1993 Planning Rule. Specifically number 13, which has to do with the "overall social, economic, energy, and environmental effects of transportation decisions (including . . . employment and community development...)" and number 14, dealing with the Expansion, enhancement, and increased use of transit services.

The Statewide Planning Program in cooperation with RIDOT, has provided data and GIS mapping to the Access to Jobs/Welfare to Work effort. They have also served as a facilitator in bringing together the many different agencies and private nonprofit groups involved in the effort. The Rite Care program has been a success to those needing transportation to medical services and

work on the RIPTA fixed route and paratransit systems. The City of Providence has been awarded a Transportation and Community and System Preservation (TCSP) grant with a strong access to jobs component. RIPTA has also been awarded an Access to Jobs grant from FTA.

RIPTA has undertaken a system wide re-examination of routes and service known as “Transit 2000.” A major emphasis of this initiative is to better link activity centers such as major employment sites to those areas where a majority of RIPTA riders reside. RIPTA’s rationale is that it has been decades since the system’s route structure has had a comprehensive review. Since that time, change in urban and suburban growth means that in some cases, RIPTA does not go where people need to go. In better fulfilling transit’s basic function, taking people where they want to go, RIPTA will better serve all trips including those of urban residents commuting to suburban work sites.

Recommendation: *Statewide Planning should continue to support the data needs of the Access to Jobs activities, continue analysis of the data to help identify gaps that could be closed and help identify alternative strategies to meet the needs of the welfare recipients that will be needing transportation.*

THE TRANSPORTATION AIR QUALITY PLANNING PROCESS

The entire State of Rhode Island is a designated serious ozone non-attainment area and the City of Providence is a maintenance area for carbon monoxide. On April 17, 1997, the U.S. Environmental Protection Agency (EPA) issued a partial disapproval of the State’s 15% Rate of Progress State Implementation Plan (SIP). The disapproval applied to the mobile sources portion of the SIP and was due largely to the State’s failure to implement an enhanced vehicle emissions inspection and maintenance program. This led to a freeze in conformity determinations for new nonexempt projects in Rhode Island. On September 21, 1998, the State submitted a revised 15% Rate of Progress plan as well as a Reasonable Further Progress (9%) plan that established 1999 mobile source emissions budget. The SIP was approved by EPA on December 8, 1998. The SIP contains no required Transportation Control Measures (TCMs). The current Plan and TIP were found to conform to the SIP on December 24, 1998.

On June 9, 1999, EPA revoked the one hour standard for ozone in Rhode Island. This meant that the State had attained the current National Ambient Air Quality Standard (NAAQS) for ozone. EPA has proposed new 8-hour standards for ozone that would likely put the State back into non-attainment. However, these standards have been the subject of extensive litigation and the situation remains very uncertain at a national level. Therefore, Rhode Island intends to maintain the structure that has thus far worked well in determining the air quality conformity of transportation plans and programs.

Congestion Mitigation and Air Quality (CMAQ) projects are developed by a transportation-air quality subcommittee of the SPC’s Technical Committee. Projects recommended by the

subcommittee are then endorsed by the TAC for inclusion in the TIP. CMAQ project proposals come from a variety of sources and are scored by the subcommittee based upon criteria including potential emissions reductions. One of the larger CMAQ projects is implementation of the State's vehicle emission inspection and maintenance (I/M) program, due to start by the end of 1999. Other large CMAQ projects include transit projects such as bus replacements and construction of intermodal transit centers and traffic management measures such as RIDOT's Transportation Operations Center and arterial signalization program.

Finding and Recommendation: *The Federal team applauds the efforts of RIDOA, RIDEM, RIDOT, and RIPTA in making the transportation and air quality conformity consultation process operate as envisioned by Federal regulation and guidance. The Federal team recommends that the agencies continue to work closely together in monitoring developments in the transportation/air quality conformity area and in developing the State's approach to compliance with the new NAAQS.*

III. CONCLUSIONS

As a result of this certification review, the Federal Highway Administration and the Federal Transit Administration find that the SPC and its staff (RIDOA) in cooperation with the Director RIDOT and his staff and the General Manager of RIPTA and her staff are conducting a transportation planning process for the Rhode Island portion of the Providence-Pawtucket TMA and the State of Rhode Island which produces satisfactory transportation planning products utilizing acceptable planning tools. This process meets the requirements of the Metropolitan Planning Regulations. The MPO staff is also working diligently to meet the requirements of the Air Quality Conformity Regulations as they apply to the Transportation Plan and the Transportation Improvement Program.

The Federal review team would like to recognize the efforts of the SPC, RIDOA, RIDOT, RIPTA, and RIDEM to provide the citizens of Rhode Island with comprehensive, balanced, and environmentally responsible plans and programs developed with real and constructive input from the public. The transportation products developed by the current planning process comply with the Federal rules, and the overall efforts of the State agencies appear to make the process work very well. For it to continue to do so in the future will require sustained efforts on the part of all the agencies involved.

Appendix 1

Federal Review Team

The Federal review team consisted of the following individuals:

Melisa L. Ridenour, FHWA Rhode Island Division, Division Administrator

Ralph Rizzo, FHWA Rhode Island Division, Transportation Planner

Brian Betlyon, FHWA Eastern Resource Center, Metropolitan Planning Specialist

Andrew Motter, FTA Region I, Transportation Planner

Jeff Butensky, EPA-New England, Environmental Planner

Appendix 2

Participating State and Local Officials, April 29-30, 1999

Name	Affiliation
Robert L. Carl, Jr., Ph.D	Director, RI Department of Administration
Barbara Weaver	Chief Information Officer, RI Department of Administration
John O'Brien	Statewide Planning Program, RI Department of Administration
John Brownell	Statewide Planning Program, RI Department of Administration
Alvin Johnson	Statewide Planning Program, RI Department of Administration
George Johnson	Statewide Planning Program, RI Department of Administration
William Sheridan	Statewide Planning Program, RI Department of Administration
Walter Slocomb	Statewide Planning Program, RI Department of Administration
Gilbert Loiselle	Statewide Planning Program, RI Department of Administration
Michael Moan	Statewide Planning Program, RI Department of Administration
Brett Robistow	State Budget Office, RI Department of Administration
Mark Therrien	RI Public Transit Authority
Owen O'Neil	RI Public Transit Authority
Steven Majkut	RI Department of Environmental Management
Ron Marcaccio	RI Department of Environmental Management
Robert Shawver	RI Department of Transportation, Policy and Planning
Bob Letourneau	RI Department of Transportation, Policy and Planning
Diane Badorek	RI Department of Transportation, Policy and Planning
Paul Silva	RI Department of Transportation, Policy and Planning
Geri Guardino	Governor's Deputy Chief of Staff
Tony Phillips	Governor's Office of Municipal Affairs
Janis Loiselle	Governor's Policy Office
Frances Shocket	City of Newport - TAC Chair
Jonathan Stevens	City of Warwick - State Planning Council Member

Appendix 3

Certification Review of the Rhode Island Portion of the Providence-Pawtucket TMA

Date: April 29-30, 1999

Place: Statewide Planning Program
RI Department of Administration
One Capitol Hill
Providence, RI 02903

Agenda

April 29

8:30 am	Introduction	FTA/FHWA
8:45	Overview of the Rhode Island State Planning Council Transportation Planning Process	Statewide Planning
9:00	Progress since 1996 Certification Review	FHWA, FTA, Planning, RIDOT, RIPTA
10:00	Planning Process	All, plus EPA and TAC
	C Technical Analysis (i.e., data collection, management systems, modeling, etc.)	
	C Interagency Coordination	
	C Public Participation	
	C Intelligent Transportation Systems (ITS)	
	C Land use/Transportation	
10:30	BREAK	
10:45	Planning process (continued)	
12:00 pm	LUNCH (on your own)	
1:00	Access to Jobs	FHWA, FTA, Planning, RIDOT, RIPTA
1:45	Air Quality Planning/Conformity	All, plus EPA and RIDEM
2:30	BREAK	
2:45	Other Issues	All
3:30	ADJOURN	

6:30 Public Meeting in conjunction with Transportation Advisory Committee Meeting*

* RI Public Transit Authority, 235 Melrose St., Providence

April 30

9:00 am Close-out discussion of preliminary findings All

10:00 ADJOURN

NOTE: The times shown on this agenda are a guide only. Adjustments will be made as necessary to accommodate discussion of the issues.

Appendix 4

Documents Reviewed during the Desk Audit

State Planning Council, Rules of Procedure, Rule IX, Transportation Planning and Public Involvement Procedures, October 13, 1994.

State Planning Council, Rules of Procedure, Rule VIII, Conformity of Transportation Plans, Programs, and Projects to the State Implementation Plan for Air Quality (Draft), 1994.

Transportation 2020: Ground Transportation Plan, State Guide Plan Element 611, November 1998.

Transportation Improvement Program for the State of Rhode Island, (FY 1999-2000), August 13, 1998.

Unified Planning Work Program, FY 1999, May 1998.

Memorandum of Understanding Between the Southeastern Regional Planning and Economic Development District and the Rhode Island State Planning Council.

Certification of the Providence-Pawtucket TMA (Rhode Island portion)
Desk Audit
April 1999

23 CFR 450 Urban Transportation Planning Requirements
Summary

1. MPO designation:

- a. Existing MPOs remain valid--Any redesignation by agreement between Governor and local officials covering 50% of population--central cities must agree to redesignation.

The State Planning Council was designated as the MPO by the Governor in 1974, and that designation was reaffirmed by the Governor in 1992.

- b. Any redesignation in a TMA must include local elected officials, State Officials and operators of major modes as voting members of policy body.

The Council includes 5 State officials, 2 representatives of the State legislature, 4 representatives of the cities and towns, and 4 public members.

- c. Encourage existing MPOs to add operators of major modes of transportation and increase representation of local elected officials if appropriate.

RIDOT is represented by the Director of Transportation as the Governor's designees. RIPTA is not represented on the Council itself, though they are represented on the Council's Transportation Advisory Committee. The central city (Providence) is not represented on the Council, but is represented on the Technical Committee and the Transportation Advisory Committee (TAC).

2. Metropolitan Planning Area Boundaries:

- a. Covers 20-yr. forecast period. Approved by MPO and Governor.

The entire State is treated as the metropolitan planning area. This matches the MPO's statutory jurisdiction. It is appropriate given RIDOT and RIPTA's statewide operating areas, and the designation of the entire State as an ozone non-attainment area under the Clean Air Act. It suits Rhode Island's small size (1,028 square miles, just under 1 million in population, compare to the Houston, TX TMA at 1,538 square miles and nearly 3 million in population).

- b. Include the entire non-attainment/maintenance area (Unless MPO and Governor agree to pull in--see 3. e. below).

Yes (see above).

- c. Boundary maps submitted to FHWA/FTA.

Yes, March 1993.

3. **Agreements; Cooperation and Coordination:**

- a. State/MPO agreement on planning and programming responsibilities.

The State's transportation planning procedures are contained in the State Planning Council's Rule IX. This is a state regulation which has the force of law, and is therefore binding on all state agencies, including RIDOT. It was last updated in 1994. However, more work could be done in this area such as a detailed cooperative agreement among the MPO, RIDOT, and RIPTA.

- b. MPO/Transit operators agreement on coop. procedures and programming.

See 3.a. above.

- c. MPO/A.Q. Lead Agency agreement on roles and responsibilities for A/Q planning and conformity.

SIP Conformity Procedures are contained in Rule VIII. This rule remains in draft form while the State awaits final resolution of issues pending in ongoing U.S. EPA rulemakings.

- d. Alternative arrangements:

- (1) Single coop. agreement on a., b., c.; or
- (2) UPWP Prospectus adequately describes subject roles, responsibilities, cooperative actions.

- e. Agreement between MPO, State DOT, State AQ agency, and others, describing planning and A/Q conformity process for "donut" areas:

N/A - All three agencies have statewide jurisdiction.

- (1) Includes conflict resolution process.
- (2) Coordinated with FHWA, FTA, EPA.

- f. Agreements between MPOs and State(s) when more than one MPO serves the nonattainment/maintenance area, or the metropolitan planning area, describing the procedures for coordinating the 3-C planning processes to assure development of an overall transportation plan for the metro planning area. Evidence of coordination in UPWP, plan, TIP, etc.

N/A

- g. The State DOT participates in the development of the metropolitan TP, and such plan is coordinated with the development of the Statewide TP.

RIDOT very heavily involved in development of the Plan - represented on Technical and Transportation Advisory Committees. Metro Plan is the Statewide Plan.

- h. Where Federal lands included, involvement of appropriate Federal agencies and Indian tribal governments.

Narragansett tribal lands in Town of Charlestown. The only tribal TIP developed (for one project) was incorporated into the TIP.

Blackstone River Heritage Corridor (NPS) lands were declared eligible for FLH funding in the NHS Designation Act of 1995. However, facilities generally State-owned, not NPS.

4. **Unified Planning Work Program (UPWP)**

- a. UPWP developed cooperatively bet. MPO, State, Transit Operators.

UPWP incorporates RIDOT's SPR work program by reference (and visa versa). Designated grant recipient will RIDOT, RIPTA, and Statewide Planning. Transit planning conducted by MPO is included in UPWP. New arrangements are taking time working themselves out.

- b. Discusses planning priorities and includes all metropolitan transportation and transportation related air quality planning activities.

UPWP does a very good job of this since it incorporates all planning activities undertaken by Statewide Planning/RIDOA.

5. Elements of 3-C Process:

- a. The latest revised TP and other technical reports, documentation and products reflect explicit consideration and appropriate analysis of the 7 factors.

- | | |
|--|---|
| 1. Support economic vitality | 5. Integration and connectivity of the system |
| 2. Increase safety and security | 6. Efficient system management and operation |
| 3. Accessibility and mobility for people and freight | 7. Preservation of the existing system |
| 4. Protect and enhance the environment | |

The TP and TIP reflect consideration of the factors, through four broad vision statements.

- b. The MPO has adopted a proactive Public Involvement process after a 45-day public comment period.

Current PI process is included in Rule IX, adopted in October 1994 after the appropriate comment period and approved by FHWA.

- c. Public Involvement process meets the requirements and criteria under 450.316(b)(i-xi), including a comment period of at least 30 days on plans, TIPs and major amendments in nonattainment areas classified as serious and above, and the requirements of 450.322(c) and 450.324(c) relating to publication/availability of plans and TIPs, opportunities for involvement and comment, and in nonattainment TMAs the required opportunities for public meetings.

PI process meets and exceeds requirements of 23 CFR 450. It centers on the establishment of a very representative Transportation Advisory Committee (TAC) that meets in public monthly. Ample comment periods and public hearings are provided in the required spots in the process. There was a problem with the current TP in that it had to be adopted using The Council's emergency procedures which waived the 30 day public notice and hearing. This lead to temporary Federal acceptance until the Council could put the Plan through it's public notice procedures.

- d. The 3-C process is consistent with the Title VI Assurance (any complaints recorded?)

To the best of our knowledge, process meets the requirements. No complaints known of.

- e. The 3-C process identifies actions needed for ADA compliance.

Transportation Plan, Page 5.6, addresses transportation for the handicapped. Line item in TIP. Annual ADA progress report is adopted by the MPO.

- f. The 3-C process provides for the involvement of other transportation and non-transportation entities interested in transportation, and that of resource and permit agencies.

TAC includes bicycle advocate, private bus line, a university, truckers' association, community

redevelopment foundation, disabled advocate, AAA, several environmental groups, construction industry, a union, rail passengers, towns and cities, and State Departments of Environmental Management and Economic Development.

- g. Technical reports and documentation on 3-C process products prepared and made available to interested parties.

Yes, Statewide Planning has several mailing lists of persons interested in transportation and makes many of their publications available on their Internet site.

6. Management Systems:

- a. The CMS, PTMS, and IMS are to be part of the 3-C Planning Process to the extent appropriate-- CMS that provides for the effective management of new and existing facilities through the use of TDM and TSM must be developed through metro process in TMAs.

The CMS has been "operational" since October 1997. There are concerns regarding maintenance of the system and making sure that it is integrated into the decision making process. Data from the CMS was incorporated into the current long range plan at the end of the process at the urging of FHWA. Ideally, the CMS should have been integrated into the initial phase of plan development. The PTMS is up and running and was used as input for the transit portion of the current TIP. The IMS is basically an inventory, but there are several large intermodal projects in the TIP. The TAC has received several briefing from RIDOT on the management systems and how the State uses them to identify needs.

- b. In TMAs that are nonattainment for CO and/or ozone, SOV capacity increasing projects must emanate from the CMS; SOV project must incorporate management strategies; and the adoption of these projects is accompanied by MPO/State commitments to simultaneously implement appropriate TDM/TSM strategies in the corridor. (See phase-in provisions in 450.336)

There have not been any significant SOV enhancing projects since the CMS has been operational. The only SOV capacity increasing project that these provisions have been applied to is the relocation of I-195 project. Since the CMS was not operational at the time, the State was still under the phase-in provisions. The State satisfactorily met the phase-in provisions.

7. Transportation Plan (TP):

- a. A TP with at least a 20 year horizon (see phase-in provisions in 450.336) has been (is being) developed with updates scheduled for consideration every 3 years in nonattainment and maintenance areas, and every 5 years in other areas.

TP adopted in 1998 has horizon year of 2020. It was accepted by FHWA and FTA in 1998. Revision/update process should begin in the next year.

- b. The scope of the TP satisfies the eleven (11) items included under 23 CFR 450.322(b).

- | | |
|--|--|
| 01) Project demand for movement people/goods | 07) Reflect multimodal evaluation |
| 02) Identify adopted CMS strategies | 08) Stipulate assumptions of DC&S where MIS not complete |
| 03) Identify pedestrian walkways & Bikeways | 09) Reflect areas land use plans/development objectives |
| 04) Consider results of Management Systems | 10) Indicate Trans. Enhancements |
| 05) Assess cost of System preserv. & oper. | 11) Include financial plan |
| 06) Design Concept & Scope (DS&C) for conformity/sufficient detail to est. costs | |

TP is basically a policy plan, it does, however meet all. More could be done in the area of projecting demand for goods movement and in reflecting land use plans.

- c. Publish draft and approved plan or make readily available--Provide opportunities for involvement & comment. In nonattainment TMAs, the opportunity is afforded for one public meeting per year to review planning assumptions and the TP development process.

All requirements met. With the TAC there are 11 meetings a year. There was a problem with the current TP in that it had to be adopted using The Council's emergency procedures which waived the 30 day public notice and hearing. This led to temporary Federal acceptance until the Council could put the Plan through its public notice procedures.

- d. The TP was developed in consideration of the clean air control strategies of the SIP, and a conformity determination was made pursuant to 40 CFR 51 or 93 before approval by the MPO.

Meets all requirements and conformity determination was made. No TCMs in Rhode Island's SIP.

8. **Transportation Improvement Program (TIP):**

- a. A TIP is cooperatively developed by MPO, State, and transit operator at least every two years, compatibly with the STIP development, and approved by the MPO and the Governor.

Yes.

- b. An air quality conformity determination has been made on the TIP consistent with 40 CFR 51 or 93. The projects are described in sufficient detail to allow air quality conformity analysis

Yes, conformity determination on current TIP made December 1998.

- c. There is documentation of an adequate public involvement process for TIP development, and in nonattainment TMAs an opportunity for at least one formal public meeting during the TIP development process (may be combined w/ meeting under 450.322(c). The draft and approved TIP are published or otherwise readily available.

Yes on all counts. All TAC meetings are public and approximately two per month were held during development of current TIP. In addition, a formal hearing was held on the draft TIP after recommendation by the TAC, but prior to adoption by the Council.

- d. The TIP covers at least a 3 year period and includes a priority list of projects.

TIP covers 3 years, though the state considers it a two program, with the third year included for information.

- e. The TIP gives priority for funding to TCMs.

No TCMs in SIP.

- f. The TIP is financially constrained and only includes projects for which maintenance, operating, and construction funds are available. (For nonattainment areas, the funds for the first two years are available or committed.)

Yes to financial constraint. Yes on construction. TIP does not include M&O.

- g. The TIP is consistent with the five items of contents listed under 23 CFR 450.324(f), and with the seven items of scope listed under 450.324(g).

- 01) Descriptive material sufficient to identify project
- 02) Estimated total cost
- 03) Federal funds to be obligated during each year
- 04) Source of Federal and non-Federal funds
- 05) Responsible agency
- 06) TCMs in the SIP
- 07) ADA plan projects

Yes.

- h. All Federal funding sources and share (including Sec. 133(d)(3)(E), STP) funds are identified.

Yes.

- i. STP and Sec. 9 funds are not suballocated on the basis of predetermined percentages or formulas unless shown to be required based on considerations that must be addressed in the process.

Yes

- j. The TIP document includes information on: (1) project prioritization criteria; (2) project implementation status/problems; (3) TCM implementation status/problems; and (4) Includes a list of all projects included in the baseline scenario for air quality analysis purposes until projects until implementation of these projects is fully authorized.

1) yes, 2) no, 3) N/A, 4) yes.

9. **TIP Modification:**

- a. TIP may be modified/amended using TIP development procedures except public involvement not required for TIP amendments consisting entirely of projects that can be grouped under 450.324(i).

Yes, however many issues could be resolved if RIDOT and the MPO had a written agreement on when amendments are required beyond the short list contained in Rule IX.

- b. In nonattainment and maintenance areas, TIP amendments that add or delete nonexempt projects require a conformity determination on the amended TIP.

Yes.

10. **Relationship of TIP to STIP: NOT APPLICABLE**

- a. After approval by MPO and Governor, TIP is incorporated without modification into the STIP, directly or by reference.
- b. State must notify MPO (and Federal Lands Highways Programs agencies where applicable) that it has been included.

11. **FHWA/FTA Action on TIP:**

- a. FHWA and FTA must jointly find that the TIP is based on a continuing, comprehensive, cooperative planning process prior to approval of TIP portion(s) of STIP. Based on self-certification reviews by MPO/State plus any additional review that is necessary to make this

finding.

Yes, see approval letter.

- b. In nonattainment and maintenance areas, FHWA and FTA must jointly find that TIP conforms to STIP. In nonattainment areas requiring TCMs, FHWA and FTA must specifically consider any comments relating to the financial plans for the TP and TIP in the summary of comments required under 450.316(b).

Not applicable.

12. Project Selection:

- a. Project selection is from the approved TIP.

Yes, Division personnel ensure that any projects requested for authorization on the current TIP.

- b. First year of TIP constitutes an agreed to list of projects for project selection purposes--list may be revisited if appropriations are significantly less than authorizations.

Projects listed in first year do not always go in that year for a variety of reasons. Generally, amendments occur because phases of projects are ready sooner than expected.

- c. If State or transit operator wishes to advance a project in the second or third year, it may be advanced using the project selection procedures in the regulation or other written project selection procedures that the MPO, State, and transit operator have agreed to. No TIP amendment required.

Yes.

- d. TIP amendment is required to advance a project from the 4th or later years of a TIP.

Yes.

13. Certification:

- a. MPOs in all metropolitan planning areas and the State must annually certify to FHWA and FTA that metropolitan planning process meets planning requirements.

Yes. MPO certification included in adoption action by the Council.

- b. In TMAs, FHWA and FTA must certify the transportation planning process at least every three years. The regulations provide for conditional certification actions as well as optional and mandatory sanctions. First round of certifications must be completed by 10/1/96 to avoid the imposition of mandatory sanctions.

First triennial review conducted May 1996.

Appendix 5

**Letter to Transportation Advisory Committee
MPO Progress Since 1996
Federal Response to 1996 Public Comments**

380 WESTMINSTER MALL, ROOM 547
PROVIDENCE, RHODE ISLAND 02903

May 13, 1999

Mr. John P. O'Brien, Acting Chief
Statewide Planning Program
Rhode Island Department of Administration
One Capitol Hill
Providence, Rhode Island 02903

Dear Mr. O'Brien:

Subject: *Certification of Rhode Island's Transportation Planning Process*
Follow-up to Public Comment

On April 29th, the Federal team conducting the subject certification review attended the Transportation Advisory Committee's (TAC) monthly meeting to gain the input of the TAC members as well as that of the public. Members of the public asked that we report on the State Planning Council's progress since the last review, as well as how public comments from the 1996 review, particularly those of DOT Watch, were addressed. Rather than take more time from the TAC's crowded agenda, we would ask that you share this letter with TAC members and the public at the next regular TAC meeting in May. First we will reiterate some of the discussion that took place earlier on April 29th at the technical session where we discussed progress on our 1996 recommendations. Then we will discuss how we responded to the comments of DOT Watch in the 1996 report. Our response to other public comments made at the April 29th meeting will be included in the final report.

Progress on the 1996 Federal Recommendations

During the technical session held during the day on April 29th, the Federal team discussed with Statewide Planning, RIDOT, and RIPTA staff the progress made in addressing our recommendations from the 1996 review. Generally, we were pleased with the progress made on the majority of the recommendations. We felt that the public involvement process has gotten stronger, that the MPO was making good use of new technologies, and that the reorganization and increased staffing of the Statewide Planning Program was a very positive sign. Most of the discussion revolved around two issues; lack of central city (Providence) representation on the MPO executive board (the State Planning Council), and interagency cooperation, in particular failure to conclude a written agreement on the process for amending the Transportation Improvement Program (TIP).

With regard to the representation of the City of Providence, we acknowledged that the efforts to have

Providence represented on the TAC as well as the City's continuing representation on the Technical Committee meant that the City certainly had the opportunity for input into the process. We also acknowledged that by most measures, the City had gotten its "share" of projects in the TIP. However, we reiterated our position that Federal regulations as well good planning practice would dictate that the central city in the metropolitan area should have a *vote* on the decision making body of the transportation planning process, the State Planning Council.

In the area of interagency cooperation, and specifically the conclusion of written procedures for TIP amendments, both Statewide Planning and RIDOT staff expressed the belief that the establishment of such an agreement should not be difficult. We also expressed our view that with the reorganizations in both departments, and with renewed commitments from the leadership, that the opportunity exists to improve overall interagency cooperation.

DOT Watch Comments from the 1996 Review

At the April 29th TAC meeting, Ms. Karen Salvatore, formerly of DOT Watch, asked about the disposition of comments the group had made during the 1996 review (a copy of DOT Watch's comments from 1996 are attached). Her request was reiterated by another member of the public. Upon reviewing the 1996 report, we believe that we did address DOT Watch's comments at the time. What follows is DOT Watch's recommendations and excerpts from the 1996 report that addresses them.

- 1. "[A] reconstituted TAC be designated as the MPO given the time the State Planning Council has available for transportation issues (they occupy about 20% of its time) as well as its political and unbalanced make-up."**

The following excerpt is from the 1996 report:

"According to 23 CFR 450.306(f), designation of the MPO can only be revoked by the agreement of the Governor and local units of government representing 75 percent of the covered population [TEA-21 has changed this threshold to 50%], so it is not within the U.S. DOT's power to force a redesignation. Federal regulations, guidance and good planning practice envision an MPO that does not do transportation planning in a vacuum, but considers economic development goals, land use planning, and environmental factors among others. Very few MPOs in large metropolitan areas are "transportation only," nor would we consider this desirable. An agency that has planning responsibilities in other areas, such as the SPC's overall responsibility for the *State Guide Plan*, is better positioned to identify and rectify conflicts between transportation goals and those in other areas."

2. **“[R]ecommend that the “Alternative” which resulted from the \$185,000 public mediation process (a.k.a. Route 4 & 1 Collaborative Planning Committee) over the proposed Route 4/US Route 1 project be assigned a cost estimate by RIDOT and considered as a replacement of the current RIDOT proposal by the full TAC, given the political nature of the appointed subcommittee.”**

The following excerpt is from the 1996 report:

“RIDOT accepted 75% of the group’s recommendations, however, the 25% not accepted included the retention of the at-grade intersections which was a core of the controversy over the project. RIDOT submitted the grade separated project for consideration in the TIP, which was forwarded to the applicable regional subgroup for scoring. Members of the collaborative process also submitted the alternative proposal for scoring to the regional subcommittee. The subcommittee could not score the alternative project because it did not have a cost estimate associated with it. In addition, RIDOA informed the alternative project sponsors that the TIP process was not meant to select a design alternative, but only to program the project. Therefore, the TAC’s project scoring criteria were meant to score projects against one another and not to score one project alternative against another. RIDOT’s proposal was programmed.

“Many members of the collaborative group believed that RIDOT would construct a project based upon the outcome of the collaborative process. When this did not occur, those who participated were disappointed in the outcome of their participation.

“Many of the other project specific comments were in a similar vein. There were also other more general comments about the outcome of the planning process. Some commented that the TIP had too many highways, too many big projects, not enough transit, and not enough bicycle and pedestrian facilities. The commentators had attended public meetings, had made their views known, and were disappointed when their views did not prevail. Therefore, they have concluded that the public participation process was not meaningful, open, and fair.”

We would also point out that as a result of the many public comments expressed during the 1996 certification review, the State Planning Council appointed a DOT Watch representative to the TAC shortly after the review.

We hope this letter satisfies the desire of the TAC and the public to hear our views on the progress of the transportation planning process has made since 1996. We would once again like to thank the TAC for giving us time on their agenda and for their candid comments on the process. If you wish to discuss this matter further, please contact us.

Sincerely yours,

Melisa L. Ridenour
Division Administrator

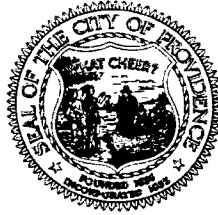
By: Ralph J. Rizzo
Transportation Planner

cc: Andy Motter, FTA
Jeff Butensky, EPA
Brian Betlyon, HRC-EA

Appendix 6

Written Comments

JOHN F. PALMIERI
Director



VINCENT A. CIANCI, JR.
Mayor

DEPARTMENT OF PLANNING AND DEVELOPMENT

"Building Pride in Providence"

April 10, 1999

John P. O'Brien, Acting Secretary
State Planning Council
Rhode Island Statewide Planning Program
One Capital Hill
Providence, Rhode Island 2908-5870

Re: Certification Review – Transportation Planning Process


Dear Mr. O'Brien:

The state has set up an excellent process of soliciting public input and review of the Transportation Improvement Plan. However, we must again raise our objection to the state planning council organization. In these days, when everyone is talking *smart growth* and controlling *suburban sprawl*, we have a state planning council that has no representation from the state's largest city. In fact, there are three seats on the planning council for an organization that does not represent every city and town in the state. I have raised this issue in the past, and it was noted in the findings by the Federal Highway Administration.

It is my belief that the state planning council should be a leading force in Rhode Island. And as a result of this view, I feel that all communities should be represented on the committee. To this end, I would suggest that the committee be restructured so that there be three seats for community representation. One seat would be for small communities, a second for middle sized communities and a third for large cities. These seats could be rotated as are other council seats.

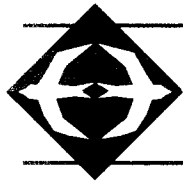
It was suggested in the past that we attend the monthly meetings. Since we are short staffed, we can not attend every meeting. However, we will continue to track the state planning council agenda and when an item of importance arises, we will attend. Thank you for your consideration.

Sincerely,


Thomas E. Deller, AICP
Deputy Director

Cc: Ralph Rizzo, FHWA

			DA
		✓	QAY3 7/51
			FP
		✓	ER
			FW
			A2
			A3E
			CMOS
			FO
			SEC 1
			SEC 2



100 YEARS OF EDUCATION, CONSERVATION, & ADVOCACY

Audubon Society of Rhode Island

April 26, 1999

Ralph Rizzo
Federal Highway Administration
380 Westminster
Providence, RI 02903

Re: Public Input

Dear Mr. Rizzo:

Thank you for this opportunity to comment on the public comment process for the TIP.

1. Opportunities for Citizen Input. The current process relies on town government to filter citizen interest in transportation needs. The complexity of the process impedes effective action between the concerned citizen and transportation officials. Knowing that most projects are initiated through the municipal government process and having some system to assure that individual ideas are directed to interested officials would help citizen input. Changing the system so that municipal proposals for a TIP have a public comment period might generate more interest from citizens. Perhaps a requirement that municipal officials hold a local hearing for receiving comments on their proposed inclusions for the TIP would be useful.

I believe that the citizen "town meetings" on transportation and public transit that were held under Susan Morrison's tenure were an effective way to generate citizen interest. I believe that citizen input is more useful when responsive to a proposed draft action plan that has a reasonable time for response and rewrite built into the process.

It is difficult for Audubon, or probably most NGSs, to review the proposals for 39 municipalities. The public comment opportunities before the MPO seem perfunctory, and at that level proposed projects seem beyond possibility for review for better coordination across municipal boundaries and for review of their regional air and land use impacts. A system for remand with commentary on how to improve the project could address issues of livability and sustainability.

2. Representation of Environment on MPO. Although the environment should not be regarded as a special interest since clean water and air resources are basic to public health, it would be helpful to have an NGO environmental professional on the MPO. Issues of land use, water pollution, and regional air issues should be explicated as are financial and traffic factors. Municipal officials need to understand the assurance of public health while proposing transportation alternatives.

3. How will the federal administration's new initiative on Livable Communities be reflected in review of TIP proposals?

Cordially,
Eugenia Marks
Eugenia Marks, Dir. Policy & Publ.

**Grow Smart Rhode Island
345 South Main Street
Providence, RI 02903
Telephone: 401-273-5711 Fax: 401-331-1659**

April 27, 1999

Mr. Ralph Rizzo
Federal Highway Administration
380 Westminster Street
Providence, RI 02903

Dear Mr. Rizzo:

Grow Smart Rhode Island appreciates the opportunity to comment on Rhode Island's transportation planning process as it is conducted by the State Planning Council, acting as the Metropolitan Planning Organization.

As you know, Grow Smart Rhode Island is a statewide non-profit organization which represents a diverse coalition of business interests, non-profit agencies, and state and local government agencies. The organization's mission is to bring together diverse interests to protect and improve Rhode Island's quality of life, economic vitality, and environmental health. To achieve our goals, we coordinate, and encourage broad community participation in:

- examining the economic, environmental and social impacts of Rhode Island's current development patterns;
- considering alternative options for development;
- cultivating a common vision for the state's future economic and physical growth; advocating programs and policies to achieve that common vision.

Last June, the Board of Directors identified strengthening the Rhode Island's statewide planning program and transportation planning as two of Grow Smart's main priorities. We have therefore spent considerable time over the past several months studying the role of statewide planning, with particular emphasis on transportation planning.

It is our belief that the current structure of one Metropolitan Planning Organization results in the most coordinated and efficient transportation and planning function.

We further believe that the Statewide Planning Council is the body best suited to carry out the Metropolitan Planning Organization responsibilities. The Statewide Planning Council, with the staff support of the state planning program, is responsible under state law for coordinating "the planning and development activities of all state agencies" and for developing an overall State Guide Plan. Within state government, it is therefore the organization best positioned to take a balanced view of such key TEA-21 planning factors as "supporting the economic vitality of the metropolitan area," and "protecting and enhancing the environment, promoting energy conservation, and improving quality of life."

The Statewide Planning Council can best integrate transportation with land use planning. They also can engage all providers of transportation, both public and private, in an objective manner.

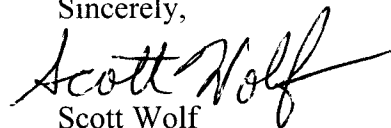
We particularly want to note the Statewide Planning Council's effectiveness in designing and implementing a highly successful outreach program to ensure public input in the planning process. The ability of the Council, its Transportation Advisory Committee, and the statewide planning staff to involve the community was well demonstrated during the updating of Rhode Island's twenty-year plan last summer and fall. The outreach effort included focus groups, public surveys, a "town meeting" televised over cable television, and other public meetings.

While Grow Smart Rhode Island believes strongly that the Statewide Planning Council should continue to serve as Rhode Island's sole Metropolitan Planning Organization, we share the Federal Highway Administration's opinion that it is critical that appropriate transportation planning staff be in place within the statewide planning program. As an organization we have discussed our concern with the Governor's office. We are pleased that within the last two months the State demonstrated its commitment to an effective transportation planning process by authorizing the statewide planning program to hire two transportation planners.

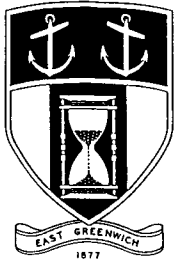
Grow Smart also thinks that there may be ways in which the composition of the Statewide Planning Council could be revised in order to ensure the best possible representation from cities and towns and from the public at large. Grow Smart hope to encourage a review of the Council's structure in the coming months.

Again, thank you for inviting public input. Grow Smart looks forward to supporting the Statewide Planning Council's efforts to involve public participation in the transportation planning process, and to provide transportation planning that balances economic and environmental interests.

Sincerely,

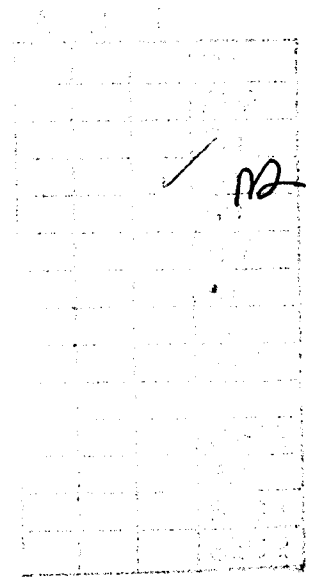
A handwritten signature in black ink that reads "Scott Wolf". The signature is fluid and cursive, with a long horizontal stroke extending from the end of the name.

Scott Wolf
Executive Director



Town of East Greenwich

125 Main Street
P.O. Box 111
East Greenwich, RI 02818-0111



April 27, 1999

Town Council
886-8665

Town Manager
886-8665
Fax: 886-8623

Town Clerk
886-8606
Fax: 886-8625

Canvassers
886-8602

Probate
886-8605

Finance
886-8610
886-8612

Tax Assessor
886-8614

Planning
886-8645

111 Peirce Street
Offices

Police
884-2244
886-8640
Fax: 886-8653

Public Works
886-8618
Fax: 886-8652

Building Official
886-8618

Recreation
1127 Frenchtown Rd.
886-8626

Welfare
205 Main Street
886-8651

TDD
401-886-8606

Mr. Ralph Rizzo
Federal Highway Administration
380 Westminster Street
Providence, Rhode Island 02903

Re: State's Transportation Planning Process

Dear Mr. Rizzo:

I am submitting this written statement in response to your April 8, 1999 letter to transportation system stakeholders. It is with great pleasure that I have this opportunity to comment on the transportation planning process and my thanks to the Federal Highway Administration and the Federal Transit Administration for providing us with this forum.

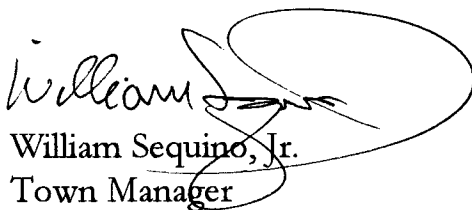
The Town of East Greenwich has enjoyed a positive working relationship with the Metropolitan Planning Organization (MPO) and with the Transportation Advisory Committee (TAC). Rhode Island is very fortunate to have dedicated professional staff at the Statewide Planning Program to prepare and maintain the transportation plans and the TIP. We have found the planning process to be essentially a rational one; a process that addresses local needs as well as system level needs, to meet the state's overall transportation requirements. It is a process that has actively sought public participation and comment and the resulting plan and TIP provides a spectrum of transportation projects that seek to balance the needs of freight rail, highway, air quality mitigation, RIPTA's bus transportation system, bicycle use, and transportation enhancements (TEA-21).

It is clear that the planning process has successfully produced plans and programs that translate down to the project level. It is at the project level that the benefits to the state and the community occur. With an open and publicly supported process creating a comprehensive ground transportation plan, these benefits are derived through projects that positively influence and impact public safety, the movement of goods and services, economic activity, air quality, rural landscape beauty, community aesthetics, downtown

Mr. Ralph Rizzo
Transportation Planning Process
April 27, 1999
Page 2

revitalization, pedestrian and bicycle use, and transportation access for the disabled and disadvantaged. Further, the TEA-21 projects will be essential to maintaining the momentum in building stronger communities. I encourage the Federal Highway Administration and the state to continue support for transportation planning process as conducted under the auspices of the State Planning Council in its capacity as the MPO. Further, I endorse the Federal Highway Administration, the state of Rhode Island, local communities and the public's active participation in this planning process. Thank you for this opportunity to lend my support to this valuable asset.

Very truly yours,



William Sequino, Jr.
Town Manager

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April 29, 1999

Ralph Rizzo
Federal Highway Administration
380 Westminster Mall, Room 547
Providence, RI 02903

RE: MPO Certification, RI Statewide Planning Program

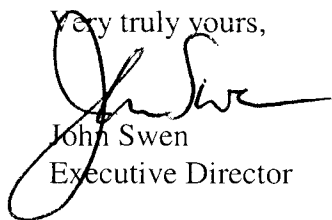
Dear Mr. Rizzo:

The RI Economic Development Corporation (RIEDC) writes in support of RI Statewide Planning Program's continuing role as the State's Metropolitan Planning Organization (MPO). Statewide Planning serves as the coordinating agency for the Transportation Advisory Committee (TAC) and the Transportation Improvement Program (TIP).

We believe that Statewide Planning involves a wide spectrum of interest groups, as well as the general public in debate and decisions regarding the expenditure of transportation dollars. The environmental and economic well-being of the State are considered in this process in tandem with actual mobility needs. The TAC maintains a fair and equitable process whereby consensus is reached in the programming of State transportation dollars.

Statewide Planning has been, and continues to be, successful in its role as the MPO, and the RIEDC supports its re-certification. Thank you for the opportunity to submit comments, and please feel free to contact me should you have further questions.

Very truly yours,


John Swen
Executive Director

cc: Richard Erwin
John O'Brien
John Riendeau
Michael Walker
Katherine Trapani

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